

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ESTATE OF JAMES W. EVANS,

Plaintiff,

vs.

KINECTA FEDERAL CREDIT UNION, et al.,

Defendants.

Case No. 2:13-cv-01160-GMN-CWH

ORDER

This matter is before the Court on Defendant Kinecta Federal Credit Union's ("Kinecta") Motion to Strike (#50), filed May 11, 2015. Kinecta requests that the Court strike Plaintiff's proposed crossclaim (*see* dkt. #45) as untimely and procedurally improper. In addition to filing a response (*see* dkt. #54), Plaintiff also filed a motion for leave to amend the pleading to permit the proposed crossclaim against Kinecta. (Dkt. #58). In the motion for leave, Plaintiffs request that the motion to strike be denied. The Court agrees with Defendant that the original proposed crossclaim (*see* dkt. #45) was procedurally improper. Plaintiff's motion for leave to amend concedes as much. Thus, the Court will grant the motion to strike, but will do so without prejudice to consideration of Plaintiffs' pending motion to amend (#58). Accordingly,

IT IS HEREBY ORDERED that Defendant Kinecta Federal Credit Union's Motion to Strike (#50) is **granted**. The Clerk shall **strike** Plaintiffs improperly filed crossclaim found at Dkt. #45. The relief granted is without prejudice to Plaintiffs' Motion for Leave to Amend (#58).

DATED: June 2, 2015.


 C.W. Hoffman, Jr.
 United States Magistrate Judge